

### REMARKS/ARGUMENTS

Favorable reconsideration of this application, in light of the following discussion, is respectfully requested.

Claims 1, 2, 4-8, 10-13, and 15-17 are pending in this case. Claims 1, 6, and 12 are amended only for further clarity. No new matter is added.

The outstanding Office Action rejected Claims 1, 2, 4-8, 10-13, and 15-17 under 35 U.S.C. § 103(a) as unpatentable over Sugita, et al. (U.S. Patent No. 5,870,636, herein "Sugita") in view of Fellegara, et al. (U.S. Patent No. 5,845,166, herein "Fellegara").

Applicant respectfully traverses the rejection of the pending claims.

The outstanding Office Action asserts Sugita as teaching every element of Claim 1 except a digital camera, which it asserts Fellegara as teaching.

However, Sugita does not teach or suggest every element of Claim 1 for which it is cited.

Claim 1 is directed to a digital camera and recites, *inter alia*:

a camera body, said **camera body being longer in a lateral direction than in a vertical direction** perpendicular to the lateral direction;  
an optical system including a lens positioned on a first side of said camera body;  
a flash device, said flash device secured to said camera body on the first side of said camera body and at a same constant distance from said lens at all times, and **said lens and said flash device being arranged in the lateral direction**; and  
a **cover device** coupled to said camera body and configured to cover said lens and said flash device, said cover device including a cover member **configured to cover and uncover** said lens and said flash device **by sliding in the vertical direction**, parallel to the surface of the first side of said camera body, within a range of said camera body at the first side of said camera body

Fig. 1 of Sugita clearly shows that the **cover 2 slides in the lateral direction**, the direction in which the camera body 1 of Sugita is longer.

However, as clarified by amended Claim 1, the digital camera comprises a cover device “configured to cover and uncover...by **sliding in the vertical direction.**”

Thus, Sugita fails to teach or suggest the cover device, as defined by Claim 1.

Further, one of ordinary skill in the relevant art would not regard the placement of the imaging optical system 3 (asserted to teach the lens as defined by Claim 1) and the stroboscopic light irradiating window 4 (asserted to teach the flash device as defined by Claim 1) of Sugita as teaching “**said lens and said flash device being arranged in the lateral direction.**” As shown at Fig. 1 of Sugita, for example, the imaging optical system 3 and stroboscopic light irradiating window 4 are offset in both the vertical and lateral directions.

Fellegara cannot cure the above-discussed deficiencies of Sugita and is not asserted for the features discussed above as deficient in Sugita.

Fellegara shows, at Fig. 2 for example, a flash unit 18 disposed on a lens cover 12 such that the lens cover 12 does not “cover and uncover...said flash device.” Further, the flash unit 18 is not “at a same constant distance from said lens at all times.” Also, the flash unit 18 and optical system 14 are not “arranged in the lateral direction,” but, instead, are arranged in the vertical direction. Still further, the lens cover 12 does not slide “within a range of said camera body,” as recited by Claim 1.

Because Sugita and Fellegara, even in combination, fail to teach or suggest every element of Claim 1, Applicant respectfully requests that the rejection under 35 U.S.C. § 103(a) of Claim 1 and Claims 2, 4, 5, and 17, which depend therefrom, be withdrawn.

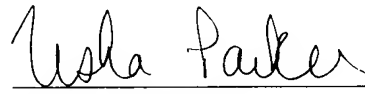
Amended Claims 6 and 12, while differing in scope and statutory class from Claim 1, patentably define over the combination of Sugita and Fellegara for reasons similar to those discussed above with regard to Claim 1. Thus, Applicant respectfully requests that the

rejection under 35 U.S.C. § 103(a) of Claim 6, Claims 7, 8, 10, and 11, which depend therefrom, Claim 12, and Claims 13, 15, and 16, which depend therefrom, be withdrawn.

Accordingly, the outstanding rejections are traversed and the pending claims are believed to be in condition for formal allowance. An early and favorable action to that effect is, therefore, respectfully requested.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.



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James J. Kulbaski  
Attorney of Record  
Registration No. 34,648

Usha Munukutla-Parker  
Registration No. 61,939

Customer Number

**22850**

Tel: (703) 413-3000  
Fax: (703) 413 -2220  
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